

BOARD OF SELECTMEN
February 7, 2005
Town Hall - Meeting Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Dennis Milanovich, A. Leo Miller [7:29 p.m.], Michael Stupinski and Nancy Way

SELECTMEN ABSENT: Mark Leighton

OTHERS PRESENT: N. DiCorleto; Public Works Director: P. Michaud; Fire Marshal: A. Lawrence; Hartford Courant: R. Labossiere

**PUBLIC HEARING – NEW PROPOSED ORDINANCE TO ADOPT PART I,
“ORDINANCES” OF THE CODE OF THE TOWN OF ELLINGTON**

First Selectman Milanovich opened the public hearing at 7:15 p.m. and read the **attached** legal notice. He asked for comments from the public.

Hearing no comments, Mr. Milanovich closed the Public Hearing at 7:20 p.m.

I. CALL TO ORDER:

First Selectman Dennis Milanovich called the meeting of the Board of Selectmen (BOS) to order at 7:30 p.m.

II. CITIZENS' FORUM: None.

III. APPROVAL OF MINUTES:

A. January 10, 2005 Special Board of Selectmen Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AMEND THE MINUTES OF THE JANUARY 10, 2005 SPECIAL BOARD OF SELECTMEN MEETING, ITEM III, A.: ADD AS LAST SENTENCE OF FIRST MOTION, "PETER MICHAUD WAS IN ATTENDANCE FOR ITEM A. ONLY.

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE MINUTES OF THE JANUARY 10, 2005 SPECIAL BOARD OF SELECTMEN MEETING AS AMENDED.

B. January 10, 2005 Special Town Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE MINUTES OF THE JANUARY 10, 2005 SPECIAL TOWN MEETING.

C. January 10, 2005 Regular Board of Selectmen Meeting:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE MINUTES OF THE JANUARY 10, 2005 REGULAR BOARD OF SELECTMEN MEETING.

D. January 24, 2005 Board of Selectmen Capital Improvements Meeting

MOVED (MILLER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AMEND THE MINUTES OF THE JANUARY 10, 2005 SPECIAL BOARD OF SELECTMEN MEETING, ITEM 6., VOTE: ADD "MILLER" AS IN FAVOR OF THE MOTION.

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE MINUTES OF THE JANUARY 24, 2005 BOARD OF SELECTMEN CAPITAL IMPROVEMENTS MEETING AS AMENDED.

IV. UNFINISHED BUSINESS:

- A. Update on Status of Plan of Conservation and Development
- B. Update of Status of Planning & Zoning Regulations Revision

Items A. and B. were discussed together. Mr. Milanovich stated that Mr. Davis has indicated that funding for both updates will be requested in the Planning & Zoning Commission budget.

C. Personnel Rules and Regulations Revision

Mr. Milanovich requested that this item be tabled to allow him time to review the changes with staff. This item was tabled to the March 14, 1005 BOS meeting.

D. Fire Hydrants

Mr. Milanovich recently met with the CT Water Company regarding a corrective action plan for 7 fire hydrants. At the conclusion, the CT Water Company agreed to contact Chief Varney to set up a timetable. Mr. Charter stated that according to Vince Gambacorta, the Fire Department has not heard from the CT Water Company. Mr. Charter asked Mr. Milanovich to call the Water Company for an update.

Mr. Charter asked if fire hydrants in the Woodside Acres subdivision will be updated. Mr. Milanovich stated that no mention of this area was made during his meeting with the CT Water Company.

Mr. Charter stated that the Ellington Fire Department would like input when new fire hydrants are added. It was noted that the Fire Department is notified of new subdivisions by the Planning Office but they do not respond.

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO NEW BUSINESS ITEM I, *MAINTAINER POSITION – ELLINGTON RESCUE POST 512*.

Mr. Milanovich recessed the meeting at 7:46 p.m.; Mr. Milanovich called the meeting back to order at 7:52 p.m.

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD *EXECUTIVE SESSION* TO THE AGENDA PRIOR TO ADJOURNMENT FOR THE PURPOSE OF DISCUSSING LAND ACQUISITION.

V. NEW BUSINESS:

A. Tax Refunds/Abatements:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$14,347.61 AND TAX ABATEMENTS IN THE AMOUNT OF \$859.12, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. **(ATTACHED)**

B. Approve Renumbering of Personnel Regulations in the Code of Ellington:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, THAT THE RENUMBERING AND CODIFICATION OF THE ELLINGTON PERSONNEL RULES AND REGULATIONS, AS PRESENTED IN CHAPTER 220 OF THE CODE OF THE TOWN OF ELLINGTON, ARE HEREBY APPROVED.

FURTHER, THE PROVISIONS OF CHAPTER 220, INsofar AS THEY ARE SUBSTANTIVELY THE SAME AS THOSE OF REGULATIONS IN FORCE IMMEDIATELY PRIOR TO THIS ENACTMENT, ARE INTENDED AS A CONTINUATION OF SUCH REGULATIONS AND NOT AS NEW ENACTMENTS, AND THE EFFECTIVENESS OF SUCH PROVISIONS SHALL DATE FROM THE DATE OF ADOPTION OF THE PRIOR REGULATIONS. ALL SUCH PROVISIONS ARE HEREBY CONTINUED IN FULL FORCE AND EFFECT AND ARE HEREBY REAFFIRMED AS TO THEIR ADOPTION BY THE BOARD OF SELECTMEN.

C. Set Town Meeting for Proposed Ordinance to Adopt Part I of Code of Ellington:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO AUTHORIZE THE FIRST SELECTMAN TO WARN A SPECIAL TOWN MEETING FOR TUESDAY, FEBRUARY 15, 2005 AT 7:00 P.M. AT THE ELLINGTON TOWN HALL TO CONSIDER A NEW ORDINANCE REGARDING THE ADOPTION OF PART ONE OF THE CODE OF ELLINGTON, ENTITLED *ORDINANCES*.

D. Land Acquisition for Open Space – Porter Road (Skipper)/Send to Town Meeting:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE PURCHASE OF A PARCEL OF LAND OF APPROXIMATELY 18.34 ACRES LOCATED OFF PORTER ROAD IN ELLINGTON, DEPICTED ON ASSESSOR'S MAP AS 124-002-0000, FROM ALMA S. SKIPPER AND JOSEPH M. SKIPPER, IN THE AMOUNT OF \$35,000, 44% OF WHICH WILL BE REIMBURSED THROUGH STATE GRANT, TO BE DESIGNATED AS OPEN SPACE AND TO AUTHORIZE THE FIRST SELECTMAN TO EXECUTE THE SALE AND PURCHASE AGREEMENT FOR THE PURCHASE OF THE AFOREMENTIONED PROPERTY.

(ATTACHED)

FURTHER, TO ADD THIS ITEM TO THE SPECIAL TOWN MEETING SCHEDULED FOR TUESDAY, FEBRUARY 15, 2005 AT 7:00 P.M. FOR TOWN MEETING APPROVAL.

E. FY 2003-04 Year-end Transfers, Adjustments, Additional Appropriations:

Mr. DiCorleto distributed the Transfers/Additional Appropriations summary for Fiscal Year 2003-2004. He reviewed each item noting that Town Meeting action is required for items B, C and D.

MOVED (MILANOVICH), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE YEAR-END TRANSFERS/ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR 2003-2004 AS LISTED IN THE **ATTACHED** SUMMARY AND AS RECOMMENDED BY THE FINANCE OFFICER.

F. Set Town Meeting re: FY 2003-04 Year-End Transfers, Adjustments, Additional Appropriations:

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADD TO THE SPECIAL TOWN MEETING SCHEDULED FOR TUESDAY, FEBRUARY 15, 2005 AT 7:00 P.M. THE FOLLOWING ITEM: TO CONSIDER FY 2003-04 YEAR-END TRANSFERS AND ADDITIONAL APPROPRIATIONS THAT REQUIRE TOWN MEETING APPROVAL AS NOTED ABOVE.

G. Request to Use Town Green – Jr. Women's Club Fair on the Green:

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO GRANT THE REQUESTS OF THE JR. WOMEN'S CLUB (JWC) AS FOLLOWS: THE JWC MAY USE THE TOWN GREEN ON MAY 7, 2005 FOR THE ANNUAL FAIR ON THE GREEN FROM 10 A.M. TO 4:00 P.M.; THE JWC MAY SET UP FOR THE FAIR THREE HOURS BEFORE THE FAIR BEGINS AND REMAIN ON THE GREEN AFTER THE FAIR HAS ENDED TO CLEAN UP; THE JWC WILL BE RESPONSIBLE FOR EMPTYING TRASH BARRELS INTO A GARBAGE DUMPSTER, WHICH WILL BE PROVIDED BY THE TOWN; CHURCH STREET SHALL BE CLOSED DURING FAIR HOURS; THE TOWN HALL AND ANNEX PARKING LOTS MAY BE UTILIZED DURING THE FAIR FOR PATRON PARKING; THE JWC MAY POST NO PARKING SIGNS ON BOTH SIDES OF THE GREEN.

H. Acceptance of Land to be Added to Newell Hill Road:

MOVED (FRAWLEY), SECONDED (MILLER) TO ACCEPT CONVEYANCE OF PORTION OF LAND, FROM CLARENCE HOLMES, ESTHER J. KAISER AND WILLIAM F. KAISER, SIROIS SUBDIVISION, AS APPROVED BY PLANNING AND ZONING COMMISSION, TO BE ADDED TO NEWELL HILL ROAD, AS DEFINED ON THE DEED ATTACHED TO THESE MINUTES AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

Discussion: The BOS wants to see a site plan prior to accepting the land. This item was tabled to the March 14, 2005 BOS meeting.

I. Maintainer Position – Ellington Rescue Post 512

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO APPROVE THE JOB DESCRIPTION FOR MAINTAINER FOR RESCUE POST 512, AS SUBMITTED IN THE DRAFT DATED FEBRUARY 7, 2005. **(ATTACHED)**

VI. ADMINISTRATIVE REPORTS: So noted, except for P.

P. Boards, Commissions and Agencies

Mr. Stupinski referenced the Planning & Zoning Commission monthly report regarding zone changes for age-restricted housing. He also referenced a Journal Inquirer article that quoted the principal of one of the proposed age-restricted developments as saying that the First Selectman had negotiated a donation of land for a new Senior Center. Mr. Milanovich stated that there was nothing to negotiate and the nature of the conversation was his vision for and the advantages of donating the land to the Town. The developer felt it was a worthy cause provided he could get a sufficient return on his investment of the property.

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

1. Resignations:

MOVED (CHARTER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ACCEPT THE RESIGNATION OF RICHARD CLEARY FROM THE ZONING BOARD OF APPEALS.

2. Recommended Appointments

MOVED (MILLER), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO REAPPOINT ELLEN KARADIMAS TO THE CULTURAL ARTS COMMISSION FOR A FOUR-YEAR TERM TO FEBRUARY 28, 2009.

MOVED (STUPINSKI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO REAPPOINT TIM OLMSTED AS AN ALTERNATE MEMBER TO THE ECONOMIC DEVELOPMENT COMMISSION FOR A TWO-YEAR TERM TO JANUARY 31, 2007.

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO REAPPOINT KIM FLANNERY TO THE INLAND/WETLANDS AGENCY FOR A FOUR-YEAR TERM TO JANUARY 31, 2009.

B. Other: None

VIII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN REPORTS:

Mr. Charter referenced a memo from the Town Planner requesting that interim ZEO assistance be provided through the Town Engineer's office. Mr. Charter suggested asking CRCOG for assistance as was done in the past. Mr. Milanovich will look into it.

Mr. Charter asked Mr. Milanovich to provide the BOS with copies of the Pinney House restoration budget.

Mr. Charter asked Mr. Milanovich for final figures on the High School expansion project. Mr. Milanovich stated that he was waiting for a firm extension date from the contractor. Mr. Charter asked if Mr. Milanovich issued a final report to the Building Committee. Mr. Milanovich stated that he issued a report the month he left as Building Administrator.

X. CORRESPONDENCE:

- A. 1/20/05 Memo from Town Attorney re: Future Charter Revisions: So noted
- B. 1/20/05 Memo from Town Attorney re: Response to P. Charter Memo of 12/29/04: Mr. Charter requested that Mr. Milanovich forward the Town Attorney's response to the Board of Finance. Mr. Milanovich agreed.
- C. 1/21/05 Memo from Finance Officer re: Sun Life Short-term Disability Amendment: So noted.
- D. 1/23/05 Letter from Selectmen Charter and Way to Building Official: So noted.
- E. 1/26/05 Letter of Response from Building Official to Selectmen Charter and Way: So noted.
- F. 1/28/05 Memo from Town Planner to Conservation Commission re: Commission's Role - Age-Restricted Housing/Open Space: So noted.

XI. EXECUTIVE SESSION:

MOVED (WAY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO GO INTO EXECUTIVE SESSION AT 8:25 P.M.

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Dennis Milanovich, A. Leo Miller, Michael Stupinski Nancy Way

OTHERS PRESENT: Peter Michaud, Director of Public Works

MOVED (FRAWLEY), SECONDED (WAY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO COME OUT OF EXECUTIVE SESSION AT 8:40 P.M.

XII. ADJOURNMENT:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY, BY THOSE PRESENT, TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 8:41 P.M.

Submitted by _____ Approved by _____